

Council of Ministers of the Socialist Republic of Vietnam  
No. 18-HDBT

Independence - Freedom - Happiness

Hanoi, 17 January 1992

Decree of Council of Ministers

determining the list of rare and precious flora and fauna  
and regulations for their management and protection

The Council of Ministers

Based on the law organising the Council of Ministers of  
July 4, 1981:

Based on Article 19 of the law on Forest Protection and  
Development of August 19, 1991:

At the suggestion of the Minister of Forestry.

Decree

#### 1. General Regulations

Article 1. Rare and precious forest fauna as defined in this  
decree consists of all species of special scientific,  
economic or environmental value, in small numbers, or small  
reserves, or which are in danger of extinction.

Rare and precious forest flora and fauna are organised  
into two groups according to their properties and their  
degree of scarcity (lists are attached):

Group I: Consisting of species of flora (IA) and fauna  
(IB) of particular significance, with special scientific or  
economic value, in small numbers, or small reserves, or  
which are in danger of extinction.

Group II: Consisting of species of flora (IIA) and fauna  
(IIB) that have a high economic value and are  
over-exploited, leading to a state of depletion and danger  
of extinction.

Article 2. The council of Ministers consolidates the  
management of all rare and precious forest flora and fauna  
for the entire country. The Ministry of Forestry is  
responsible to the Council of Ministers for implementing  
this consolidation of management.

The People's Committees at all levels are responsible for  
providing concrete guidance and monitoring the organisations  
implementing the task of managing and protecting rare and  
precious forest flora and fauna at the local level in accord

with the laws, policies, rules and regulations of the state.

Article 3. The state strictly forbids the exploitation and use of rare and precious forest flora and fauna listed in Group I. The exploitation and use of rare and precious forest flora and fauna in Group II is restricted.

All state organs, economic and social organisations, and military units, and all citizens have the responsibility to protect and promote the increase of rare and precious forest flora and fauna.

Article 4. The state encourages, supports and guarantees the benefit (interest) of organisations and individuals in the task of protecting and developing the welfare of rare and precious forest flora and fauna.

II. The organisation and structure for managing and protecting rare and precious forest flora and fauna.

Article 5. All forests throughout the country containing rare and precious forest flora and fauna shall be clearly defined both on maps and on the ground.

Forests and forested areas containing concentrations of rare and precious forest flora and fauna (both quantity and reserves) must be delineated, their close management and protection must be organised, and rules to this effect must be posted.

Article 6. All levels of the state organs for the management of forestry must establish methods and plans as well as organise the investigation and monitoring of the situation, keeping track of changes, numbers, and reserves of each rare or precious plant or animal: organising research, guidance, and instruction for forest owners who must implement the management, protection, increase and development of this valuable resource: have a map and a record book to closely and concretely monitor the situation: organise the management and protection of wooded areas containing rare and precious flora and fauna that have not been transferred to any organisation or individual to manage.

Article 7. Every organisation or individual carrying out production activities, construction projects, investigations, exploration, research, tourism, or any other activities in forested areas containing rare and precious forest flora and fauna, and so delineated and protected, must execute the regulations pertaining to that area. It is strictly forbidden to cut, hunt, gather, or damage the habitat of rare or precious forest flora and fauna.

Article 8. The exploitation and use of rare and precious forest flora and fauna is determined as follows:

1) For Group I, exploitation and use is strictly forbidden. In special circumstances, when plants, live animals, products of forest plant or animal, or seeds are needed to be used for scientific purposes or in regard to international cooperation or relations, permission must be obtained from the Chairman of the Council of Ministers, according to the suggestion of the Minister of Forestry.

2) For Group II, exploitation and use is restricted, in concrete terms, as follows:

a. Timber trees: May be exploited only at restricted levels according to species, number, and area, and the planned quotas for each year must be approved by the Chairman of the Council of Ministers, and written permission must be obtained from the Minister of Forestry. During exploitation, the procedures and technical standards of the Ministry of Forestry must be correctly implemented.

This type of wood may be used only for special building projects of the state, in the production of handicrafts, or in high grade furniture to be used domestically and for export. The export of raw or partially processed wood is forbidden.

b. Other species of naturally growing plants: Exploitation must be according to an annual plan and must receive permission from state and forestry management organs at the provincial level. The procedures and technical standards of the Ministry of Forestry must be correctly implemented and the inspection and guidance of the owner of the forest must be accepted during exploitation.

c. In regard to live wild animals: These are only to be trapped or captured in essential circumstances, such as to create a breeding population, for scientific research purposes, for international exchange of breeds, or for other essential purposes, but permission must be obtained from the Minister of Forestry.

Article 9. The exploitation and use of rare and precious forest flora and fauna by organisations or individuals who invest their own capital to raise them is determined as follows:

a. The exploitation and use of forest plants and the sale of forest products is permitted.

b. Forest animals in Group I may be used only for the purpose of breeding and increase in their numbers.

c. Forest animals in Group II, apart from raising them for breeding purposes, live animals from the second generation and there-after may be used for other purposes.

All cases involving exploitation or use of rare or precious forest flora and fauna determined by this article must be reported by the landowner to local state and forestry management organs at the same level for their inspection and confirmation.

Article 10. Beasts of the forest that are destroying production or threatening human life may be driven away. The use of legitimate protective measures may be undertaken only when efforts to drive creatures away prove to be ineffective and there is direct danger to human life.

Article 11.

1. Responsibilities of forest owners:

- Organise the delineation and protection of the forest containing rare or precious forest flora and fauna:

- Create a map and record book to keep track of the number, reserves and any changes by species of rare or precious forest flora or fauna in one's area of responsibility:

- Create and post rules to protect specifically by area and by particular plant species:

- Prepare and implement guidelines and management plans for the protection and expansion of this resource on the area of forest and plantation under one's control.

2. The rights of the proprietors of forest land and plantations containing rare or precious forest flora and fauna in the exploitation and use of such flora and fauna as well as in the matter of coping with forest creatures that destroy production or threaten human life shall be applied according to the rules set forth in Articles 9, 10 and 11 of this Decree. When proprietors exploit or use rare or precious forest flora and fauna as defined by Article 9 of this Decree, they shall be exempted from the tax on natural resources.

III. Provisions for implementation

Article 12. The Ministry of Forestry has responsibility for organising the implementation, guidance, supervision and inspection for carrying out this Decree with all levels, sectors, organs, and units through out the entire country; coordinating with all Ministries and sectors involved in creating and enforcing procedures and technical standards in the exploitation and use of rare and precious forest flora and fauna; proposing to the Council of Ministers additions and revisions of the lists and management system for protecting rare and precious forest flora and fauna; reporting at regular intervals to the Chairman of the

Council of Ministers on the situation in the conservation and development of this resource.

Article 13. The People's Committees at all levels are responsible for organising implementation and guidance, and for monitoring the execution of this Decree within their local areas of responsibility, under the general guidance of the Ministry of Forestry.

Article 14. This Decree takes effect the day it is signed. All previous decrees regarding the management, protection, exploitation, and use of rare and precious forest flora and fauna are thereby null and void.

#### List of Rare and Precious Forest Flora and Fauna

(Attached enforced the Decree No. 18 HDBT  
Dated 17 January 1992 of the Council of Ministers

#### Group I

##### IA Forest Flora

##### No Species

- 1 Calocedrus macrolepis - Ba'ch xanh
- 2 Taxus chinensis - Tho^ng ddo?
- 3 Cephalotaxus fortunei - Phi? 3 mu~i
- 4 Pedocarpus neriifolius - Tho^ng tre
- 5 Pinus kwanangtungensis - Tho^ng Pa` co`
- 6 Pinus dalatensis - Tho^ng DDa` La.t
- 7 Glyptostrobus pensilis - Tho^ng nu+o+c
- 8 Keteleeria calcarea - Hinh dda' vo^i
- 9 Amentotaxus argotenia - Sam bo^ng
- 10 Abies nukiangensis - Sam la.nh
- 11 Aquilaria crassna - Tra^m dda`n
- 12 Copressus torulosa - Hoa`ng dda`n
- 13 Ducampopinus krempfi - Tho^ng 2 la' de.t

##### IB Forest fauna

##### No Species

- 1 Rhinoceros sondaicus - Te^ gia'c mo^.t su+`ng
- 2 Bos gaurus - Bo` to't
- 3 Bos sauveli - Bo` xa'm
4. Bos banteng - Bo` ru+`ng
- 5 Bulbus bulbalus - Tra^u ru+`ng
- 6 Elephas maximus - Voi
- 7 Cervus eldi - Nai ca` tong
- 8 Cervus porcinus - Hu+o+ va`ng
- 9 Moschus moschiferus - Hu+o+ sa` (Hu+o+ xa.)
- 10 Panthera tigris - Ho^?
- 11 Panthera pardus - Ba'o hoa mai

- 12 *Neofelis nebulosa* - Ba'o ga^m  
 13 *Helarctos malayanus* - Ga^u cho'  
 14 *Trachypithecus phayrei* - Voo.c xa'm  
 15 *Rhinopithecus avunculus* - Voo.c mu~i he^ch  
 16 *Pygathrix nemaus* - Voo.c ngu~ sa('c Trung bo^). (Voo.c va')  
     *Pygathrix nigripes* - Voo.c ngu~ sa('c Nam bo^).  
 17 *Trachypithecus francoisi francoisi* - Voo.c dden ma' tra('ng  
     *Trachypithecus francoisi poliocephalus* - Voo.c dda^u tra('ng  
     *Trachypithecus francoisi delacouri* - Voo.c mo^ng tra('ng  
     *Trachypithecus francoisi hatinhensis* - Voo.c Ha` T~inh  
     *Trachypithecus francoisi sp.* - Voo.c dden Ta^y Ba('c  
 18 *Hylobates concolor concolor* - Vu+o+.n dden tuye^ n  
     *Hylobates concolor leucogenys* - Vu+o+.n dden ma' tra('ng (Vu+o+.n ba.c ma')  
 tra('ng  
     *Hylobates concolor gabriellae* - Vu+o+.n dden ma' tra('ng Nam bo^).  
     *Hylobates lar* - Vu+o+.n tay tra('ng  
 19 *Arctictis binturong* - Cho^^n mu+.c (Ca^y mu+.c)  
 20 *Chirotopogale owstoni* - Ca^y va(`n ba('c  
 21 *Prionodon pardicolor* - Ca^y ga^m  
 22 *Galeopithecus temmincki* - Cho^^i do+i  
 23 *Martes flavigula* - Ca^y va`ng  
 24 *Nycticebus pigmaeus* - Cu li lu`a (Cu li nho?)  
 25 *Petaurista elegans* - So'c bay sao  
     *Petaurista lylei* - So'c bay tra^u  
 26 *Belomys* - So'c bay nho?  
     *Belomys pearsoni* - So'c bay lo^ng tai  
 27 *Canis aureus* - So'i Ta^y Nguye^ n  
 28 *Pavo muticus imperator* - Co^ng  
 29 *Lophura diardi diardi* - Ga` lo^i ho^ng ti'a  
     *Lophura imperialis Delacouri* - Ga` lo^i lam ma`o dden  
     *Lophura diardi bonaparte* - Ga` lo^i lam ma`o tra('ng  
 30 *Polyplectron bicalcaratum* - Ga` tie^ n  
     *Polyplectron germaini* - Ga` tie^ n ma(.t do?)  
 31 *Rheinartia ocellata* - Tri~ sao  
 32 *Grus antigone sharpii* - Se^u co^? tru.i  
 33 *Crocodylus porosus* - Ca' sa^u nu+o+c no+.(Ca' sa^u hoa ca`)  
 34 *Crocodylus siamensis* - Ca' sa^u nu+o+c ngo.t (Ca' sa^u xie^m)  
 35 *Ophiogus hannah* - Ho^? mang chu'a  
 36 *Paramesotriton delousiali* - Ca' co'c Tam DDa?o

## Group II

### IIA Forest flora

#### No Species

- 1 *Dalbergia oliverrii* Gamble - Ca^?m lai  
     *Dalbergia bariaensis* - Ca^?m lai Ba` Ri.a  
     *Daibergia dongnaieniis* - Ca^?m lai DDo^`ng Nai  
 2 *Azelia xyloarpa* - Ga` te (Go~ do?)  
 3 *Sindora cochinchinensis* - Gu. ma^.t (Go~ ma^.t)  
     *Sindora tonkinensis* A. Chev - Gu. lau (Go~ lau)  
 4 *Pterocarpus pedatus* Pierre - Gia'ng hu+o+ng  
     *Pterocarpus cambodianus* Pierre - Gia'ng hu+o+ng Cambo^t  
     *Pterocarpus indicus* Willd - Gia'ng hu+o+ng ma('t chim

- 5 *Chukrasia tabularis* .A. Juss - La't hoa  
Chukrasia sp. - La't da do`ng (La't chun)
- 6 *Dalbergia cochinchinensis* Pierre - Tra('c  
Dalbergia annamensis - Tra('c da^y  
Daibergia combodiana Pierr - Tra('c Cambo^t
- 7 *Fokienia hodginsii* .A. Henry et Thomas - Po+ mu
- 8 *Diospyros mun* H. Lec - Mun  
Dyospyros sp.- Mun so.c
- 9 *Markhamia pierrei* - DDinh
- 10 *Madhuca pasquieri* - Se^`n ma^.t
- 11 *Burretiodendron hsienmu* - Nghie^`n
- 12 *Erythrophloeum fordii* - Lim xanh
- 13 *Padocarpus fleuryi* - Kim giao
- 14 *Rauwolfia verticillata* - Ba ga.c
- 15 *Morinda officinalis* - Ba ki'ch
- 16 *Lilium brownii* - Ba'ch ho+.p
- 17 *Panax vietnammensis* - Sa^`m ngo.c linh
- 18 *Amomomum longiligulare* - Sa nha^`n
- 19 *Amonomum tsaoko* - Tha?o qua?

#### IIB Forest fauna

#### No Species

- 1 *Macaca arctoides* - Khi? co^.c (Khi? ma(.t ddo?)  
Macaca mulatta - Khi? va`ng  
Macaca assamensis - Khi? mo^`c  
Macaca nemestrina - Khi? dduo^`i lo+.n
- 2 *Capricornis sumatraensis* - So+n du+o+ng
- 3 *Felis bengalensis* - Me`o ru+`ng  
Felis marniorata - Me`o ga^`m  
Felis temminckii - Ba'o lu+?a
- 4 *Lutra lutra* - Ra'i ca' thu+o+`ng
- 5 *Selanarctos thibethanus* - Ga^`u ngu+.a
- 6 *Cuon alpinus* - So'i ddo?
- 7 *Ratufa bicolor* - So'c dden
- 8 *Buceros bicornis* - Phu+o+.ng hoa`ng da^`t (Ho^`ng hoa`ng)
- 9 *Indotestudo elongata* - Ru`a nu'i va`ng
- 10 *Pelochelys bibroni* - Con gia?i